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September 26, 2017

The Honorable Donald J. Trump  
President  
United States of America  
1600 Pennsylvania Avenue NW  
Washington, D.C. 20500

Dear President Trump:

Last month Hurricane Harvey devastated the southeast region of Texas, damaging thousands of homes and businesses and causing over 350,000 people to request relief assistance from the Federal Emergency Management Agency. As workers and volunteers began to work through the destruction, another Category 4 storm swept through the Florida Keys and the state's southwest coast. The damage from both storms is still being assessed but most estimates are in excess of \$100 billion.

I appreciate that throughout this challenging time you and your administration have provided strong leadership and a well-coordinated response. At your request, Congress provided initial emergency relief funding to help affected cities begin rebuilding. I assume there will be more to follow. Given the significant cost associated with the reconstruction efforts, it is in the American people's best interest to ensure that every dollar is used as effectively as possible. I encourage you to use your executive authority under 40 U.S.C. § 3147 to suspend the Davis-Bacon prevailing wage requirement for the areas in Texas and Florida affected by the storms.

The Davis-Bacon Act mandates that contractors engaging in certain federal construction projects pay at minimum the locally prevailing wage for comparable work. While that may sound good in theory, the sad reality is that the Department of Labor has not been able to develop an effective process for setting market-rate wages. The result is a system vulnerable to bias, waste, and abuse. That is why presidents in recent history have chosen to suspend Davis-Bacon following similar natural disasters in order to render the most cost-efficient reconstruction process.

The time and resources it will take to repair the damage wrought by these storms cannot be overstated, but the cost to the taxpayer should not be artificially inflated because of an outdated law that mandates a broken price-control process. The recovery efforts have been great and I am certain the people impacted by the hurricanes can count on your administration to continue its effective response.

Sincerely,



JEFF FLAKE  
United States Senator